

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Terri Smith

Docket No. 7:14-CR-41-4FL

Petition for Action on Supervised Release

COMES NOW John A. Cooper, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Terri Smith, who, upon an earlier plea of guilty to 21 U.S.C. §§ 846 and 841 (b)(1)(C), Conspiracy to Distribute and Possess With Intent to Distribute a Quantity of Cocaine, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on February 17, 2015, to the custody of the Bureau of Prisons for a term of 5 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Terri Smith was released from custody on March 6, 2015, at which time the term of supervised release commenced.

On May 5, 2016, Smith was reported to court via DROPS sanction/violation report for using cocaine. Supervision continued and a two day jail sanction imposed.

On November 9, 2016, Smith was reported to court via DROPS sanction/violation report for using cocaine. Supervision continued and a five day jail sanction imposed.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On July 13, 2017, a DROPS sanction report was sent to the court advising the defendant was being sanctioned with a 10-day jail placement as a consequence of her third positive urine test for cocaine. A jail placement request was submitted to the Bureau of Prisons (BOP); however, after two months, the BOP notified our office that due to Smith being pregnant, they are unable to accommodate the request. As such, it is recommended that 30 days home detention with location monitoring be imposed in lieu of the 10 days in jail.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 30 consecutive days. The defendant shall be restricted to residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ John A. Cooper
John A. Cooper
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2046
Executed On: October 18, 2017

ORDER OF THE COURT

Considered and ordered this 19th day of October, 2017, and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge